

M. Anderson Berry (SBN 262879)
Leslie Guillon (SBN 222400)
CLAYEO C. ARNOLD,
A PROFESSIONAL LAW CORP.
865 Howe Avenue
Sacramento, CA 95825
Telephone: (916) 777-7777
Facsimile: (916) 924-1829
ABerry@Justice4You.com
LGuillon@Justice4You.com

John A. Yanchunis (*Pro Hac Vice*)
Ryan J. McGee (*Pro Hac Vice*)
Kenya J. Reddy (*Pro Hac Vice Forthcoming*)
MORGAN & MORGAN
COMPLEX LITIGATION GROUP
201 N. Franklin St., 7th Floor
Tampa, FL 33602
Telephone: (813)
Facsimile: (813)
JYanchunis@ForThePeople.com
RMcGee@ForThePeople.com
KReddy@ForThePeople.com

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ROBERT CULLEN, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

ZOOM VIDEO COMMUNICATIONS,
INC.,

Defendant.

Case No.: 5:20-cv-02155-LHK

**PLAINTIFFS' BUXBAUM AND BLUM
ADMINISTRATIVE MOTION TO
CONSIDER WHETHER CASES SHOULD
BE RELATED**

[Caption continued on next page.]

ADAM BUXBAUM and DEBORAH
BLUM, on behalf of themselves and all
others similarly situated,

Plaintiffs

v.

ZOOM VIDEO
COMMUNICATIONS, INC.,

Defendant.

Case No.: 5:20-cv-02939-SVK

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that, pursuant to Civil Local Rules 3-12 and 7-11, Plaintiffs in *Buxbaum, et al. v. Zoom Video Communications, Inc.*, No. 5:20-cv-02939-SVK (“*Buxbaum*”), submit this Administrative Motion for the Court to consider whether *Buxbaum* should be related to *Cullen v. Zoom Video Communications, Inc.*, No. 5:20-cv-02155-LHK (“*Cullen*”). Plaintiffs further request reassignment to the Honorable Lucy H. Koh, United States District Judge, for all further proceedings in *Buxbaum*.

Under Local Rule 3-12(a), “An action is related to another when: (1) The actions concern substantially the same parties, property, transaction or event; and (2) It appears likely that there will be an unduly burdensome duplication of labor and expense or conflicting results if the cases are conducted before different Judges.” Both elements are satisfied to relate *Buxbaum* and *Cullen*.

The *Buxbaum* and *Cullen* actions are related because they concern substantially the same parties, property, transactions, and events. Both are proposed class actions against Zoom Video Communications, Inc. (“Zoom”) concerning allegations that Zoom violated various consumer protection laws related to Zoom’s security and privacy practices, as well as alleged vulnerabilities in Zoom’s products. *Cullen* was filed on March 30, 2020. Since then, at least ten other similar proposed class actions against Zoom have been filed in this District.

On April 24, 2020, pursuant to stipulation of the parties in *Taylor v. Zoom Video Telecommunications, Inc.*, No. 3:20-cv-02170-RS (“*Taylor*”), *Johnston v. Zoom Video Telecommunications, Inc.*, No. 5:20-cv-02376-SVK (“*Johnston*”), *Kondrat, et al v. Zoom Video Telecommunications, Inc.*, No. 5:20-cv-02520-NC (“*Kondrat*”), *Lawton v. Zoom Video Telecommunications, Inc.*, No. 3:20-cv-02592-SK (“*Lawton*”), *Jimenez v. Zoom Video Telecommunications, Inc.*, No. 5:20-cv-02591-LHK (“*Jimenez*”), *Hartmann v. Zoom Video Telecommunications, Inc.*, No. 5:20-cv-02620-NC (“*Hartmann*”), and *Henry v. Zoom Video Telecommunications, Inc.*, No. 5:20-cv-02691-SVK (“*Henry*”) (collectively, the “Stipulated Cases”), this Court ordered all cases related to *Cullen*, and reassigned them to this Court for all purposes. (Doc. No. 28). Since then, two additional cases (not including Plaintiffs’ case) have similarly moved for relatedness under the Local Rules: *Simins v. Zoom Video Telecommunications, Inc.*, No. 5:20-cv-02893-VKD (“*Simins*”) (Doc. No. 35) and *Greenbaum v. Zoom Video Telecommunications, Inc.*, No. 5:20-cv-02861-NC (“*Greenbaum*”) (Doc. No. 36).

Given the common parties, allegations, and requested relief, adjudication of these actions separately would create an unduly burdensome duplication of labor and expense. Assignment of these cases to a single United States District Judge will conserve judicial resources and eliminate the potential for conflicting results. The actions are at a preliminary stage and thus assignment to a single judge would not prejudice any of the parties.

For the reasons set forth above, Plaintiffs respectfully request that the Court relate the *Buxbaum* action to the *Cullen* action, and that this Court reassign the *Buxbaum* action to this Court.

Dated: May 1, 2020

By: /s/M. Anderson Berry

M. Anderson Berry (SBN 262879)
aberry@justice4you.com
 Leslie Guillon (SBN 222400)
lguillon@justice4you.com
CLAYEO C. ARNOLD,
A PROFESSIONAL LAW CORP.
 865 Howe Avenue
 Sacramento, CA 95825
 Telephone: (916) 777-7777
 Facsimile: (916) 924-1829

1 John A. Yanchunis
2 JYanchunis@ForThePeople.com
3 Ryan J. McGee
4 RMcGee@ForThePeople.com
5 Kenya J. Reddy
6 KReddy@ForThePeople.com
7 **MORGAN & MORGAN**
8 **COMPLEX LITIGATION GROUP**
9 201 N. Franklin St., 7th Floor
10 Tampa, Florida 33602
11 Telephone: (813) 223-5505
12 Facsimile: (813) 223-5402
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Attorneys for Plaintiffs